



RECEIVED

JAN 03 2017

STATE AUDITORS OFFICE

JAMES C. KIRKPATRICK  
STATE INFORMATION CENTER  
(573) 751-4936

JASON KANDER  
SECRETARY OF STATE  
STATE OF MISSOURI

ELECTIONS DIVISION  
(573) 751-2301

January 3, 2017

The Honorable Nicole Galloway  
State Auditor  
State Capitol Building  
Jefferson City, MO 65101

RE: Petition approval request from Charles Jones regarding a proposed constitutional amendment to Article IV (2018-117)

Dear Auditor Galloway:

Enclosed please find an initiative petition sample sheet for a proposal to amend the Missouri Constitution filed by Charles Jones on December 30, 2016.

We are referring the enclosed petition sample sheet to you for the purposes of preparing a fiscal note and fiscal note summary as required by Section 116.332, RSMo. Section 116.175.2, RSMo requires the state auditor to forward the fiscal note and fiscal note summary to the attorney general within twenty days of receipt of the petition sample sheet.

Thank you for your immediate consideration of this request.

Sincerely,

A handwritten signature in black ink that reads "Jason Kander".

Jason Kander

cc: Hon. Chris Koster  
Sheri Hoffman  
Barbara Wood

County \_\_\_\_\_  
Page No. \_\_\_\_\_

It is a class A misdemeanor punishable, notwithstanding the provisions of section 560.021, RSMo, to the contrary, for a term of imprisonment not to exceed one year in the county jail or a fine not to exceed ten thousand dollars or both, for anyone to sign any initiative petition with any name other than his or her own, or knowingly to sign his or her name more than once for the same measure for the same election, or to sign a petition when such person knows he or she is not a registered voter.

INITIATIVE PETITION

To the Honorable Jason Kander, Secretary of State for the state of Missouri:

We, the undersigned, registered voters of the state of Missouri and \_\_\_\_\_ County (or city of St. Louis), respectfully order that the following proposed amendment to the constitution shall be submitted to the voters of the state of Missouri, for their approval or rejection, at the general election to be held on the 6<sup>th</sup> day of November, 2016, and each for himself or herself says: I have personally signed this petition, I am a registered voter of the state of Missouri and \_\_\_\_\_ County (or city of St. Louis), my registered voting address and the name of the city, town, or village in which I live are correctly written after my name.

(OFFICIAL BALLOT TITLE)

CIRCULATOR’S AFFIDAVIT

STATE OF MISSOURI, COUNTY OF \_\_\_\_\_, being first duly sworn, say (print or type names of signers)

RECEIVED  
DEC 30 2016  
MO. SECRETARY OF STATE, I,

NAME (Signature)	DATE SIGNED	REGISTERED VOTING ADDRESS (Street) (City, Town or Village)	ZIP CODE	CONG. DIST	NAME (Printed or Typed)
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					

signed this page of the foregoing petition, and each of them signed his or her name thereto in my presence; I believe that each has stated his or her name, registered voting address and city, town or village correctly, and that each signer is a registered voter of the state of Missouri and \_\_\_\_\_ County.

FURTHERMORE, I HEREBY SWEAR OR AFFIRM UNDER PENALTY OF PERJURY THAT ALL STATEMENTS MADE BY ME ARE TRUE AND CORRECT AND THAT I HAVE NEVER BEEN CONVICTED OF, FOUND GUILTY OF, OR PLED GUILTY TO ANY OFFENSE INVOLVING FORGERY.

I am at least 18 years of age. I do \_\_\_\_ do not \_\_\_\_ (check one) expect to be paid for circulating this petition. If paid, list the payer \_\_\_\_\_.

\_\_\_\_\_  
Signature of Affiant (Person obtaining signatures)

\_\_\_\_\_  
(Printed Name of Affiant)

\_\_\_\_\_  
Address of Affiant

Subscribed and sworn to before me this \_\_\_\_ day of \_\_\_\_\_, A.D. \_\_\_\_\_.

\_\_\_\_\_  
Signature of Notary  
Address of Notary: \_\_\_\_\_

Notary Public (Seal)  
My Commission expires: \_\_\_\_\_



## Missouri Constitution Article IV

BE IT RESOLVED *by the people of the state of Missouri that the Constitution be amended:*

One new section is adopted by adding one new section to be known as section 54 of Article IV. This amendment shall implicitly repeal the following RSMo sections: [RSMo sections 105.1105; 105.1108; 105.1112; 195.010(10)(b)c; 195.010(10)(d); 195.010(17)(g); 195.010(17)(l); 195.010(24); 195.017.2(4)(r); 195.017.2(4)(w); 195.017.2(4)(ee); 195.207; 196.100; 263.250; 577.024.1(2); 579.015; 579.020; 579.030; 579.055; 579.065; 579.068; 579.105]

One new section is adopted by adding one new section to be known as section 54 of Article IV to read as follows:

Section 54.1. This section shall be known as the “Missouri Legalization and Regulation of Cannabis and Cannabis Hemp Initiative.”

2. Cannabis shall immediately be removed from the Missouri list of controlled substances and shall no longer be listed among Missouri’s drug schedules.

3. The following definitions shall be applied to the terms used in this section:

(1) “Cannabis” and “cannabis hemp” refer to Cannabis, Marijuana, Cannabis Sativa, Cannabis Indica, Cannabis Ruderalis or any variety of cannabis, including any derivative, concentrate, extract, flower, leaf, particle preparation, resin, root, salt, seed, stalk, stem, or any product thereof.

(2). “Medical cannabis” refers to physician recommended use .

(3) “Cannabis accessories” means any equipment, products or materials of any kind that are used or intended for use, planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, or containing cannabis or for ingesting, inhaling, vaporizing, smoking, or otherwise introducing cannabis into or onto the human body.

(4) “Establishment” refers to a cannabis cultivation facility, a cannabis manufacturing facility or retail store or other entity that cultivates, prepares, manufactures, packages, transports, or sells cannabis products or accessories.

(5) “Minor” refers to anyone under 18 years of age.

4. Cannabis or its products shall not be sold to anyone under 18 years of age. Anyone under 18 years of age shall have access to cannabis through physician recommendation or consent from parent/legal guardian.

(1) No minor shall be criminally prosecuted for possession of cannabis or its products.

5. The following acts are not unlawful and shall not be an offense under Missouri law:

(1) Possession of cannabis for personal or medical use;

(2) Cultivating cannabis for personal or medical use that obey current agricultural zoning restrictions;

(3) Cultivating, harvesting, processing, manufacturing, packaging, distributing, transferring, displaying or possessing cannabis, cannabis accessories, and cannabis products for commercial purposes, provided the person has current applicable licenses to run a business in Missouri;

(4) Providing cannabis, cannabis accessories and products for sale to consumers. Any product to be sold to the public must be tested for purity and weight;

(5) Leasing or otherwise allowing the use of property owned, occupied or controlled by any person, corporation or other entity for any of the activities conducted lawfully in accordance with paragraphs (1) through (5) of this subsection;

(6) The possession of cannabis is not to be the sole reason for issuing a D.U.I. (Driving under the influence), arrest or fines when operating a motor vehicle.

6. Patient rights: Cannabis shall be available to all patients regardless of age, without taxation when physician recommended.

7. Anyone currently incarcerated for nonviolent cannabis related crimes shall immediately be released and all charges for cannabis crimes expunged.

(1) Within 60 days of passage of this act, the attorney general’s office shall develop and make available to the public a legal document ordering the immediate destruction of all cannabis related non-violent civil and criminal records in Missouri, to be distributed to all circuit court judges within the state.

8. No state or federal funds shall be used to enforce federal laws which are no longer illegal in the state of Missouri.

(1) Any person who willfully impedes the lawful exercise of these provisions is guilty of a class A misdemeanor.

9. Cannabis farmers, manufacturers, processors, and distributors shall not be subject to any special zoning requirements or licensing fee that is discriminative, prohibitive, or in any way contrary to that which is relative to any other commercial or agricultural farmer, manufacturer, processor or distributor.

10. Pursuant to the ninth and tenth amendments to the Constitution of the United States, the people of Missouri hereby repudiate and challenge federal cannabis prohibitions that conflict with this act.

11. All provisions of this section are self-executing and severable and, except where otherwise indicated in the text of this document, shall supersede conflicting city, county, state, or federal statutory, local charter, ordinance or resolution. If any provision of this section is found by a court of competent jurisdiction to be unconstitutional or unconstitutionally enacted, the remaining provisions of this section shall be and remain valid.

12. If any rival or conflicting initiative regulating any matter addressed by this act receives the higher affirmative vote, then all non-conflicting parts shall become operative.

13. The dictates of this initiative shall be implemented no later than April 20<sup>th</sup> following the election that placed this initiative before the people.